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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	CR No. 07-0653-SI
	)	
Plaintiff,	)	STIPULATION AND [PROPOSED] ORDER
	)	EXCLUDING TIME UNDER 18 U.S.C. § 3161
v.	)	
	)	
ABEL LOPEZ-MENERA,	)	
a/k/a Jose Lopez-Martinez,	)	
a/k/a Bernabe Banderas Lopez,	)	
	)	
Defendant.	)	

On November 9, 2007, the parties in this case appeared before the Court and stipulated that time from November 9, 2007 through November 16, 2007 should be excluded from Speedy Trial Act calculations because defense counsel needs adequate time to review discovery that the United States would produce after the parties' November 9, 2007 court appearance. The parties represented to the Court that the length of the requested continuance was the reasonable amount of time necessary for effective preparation of defense counsel, taking into account the exercise of

1 due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The parties also agreed that the ends of justice  
 2 served by this continuance outweighed the best interests of the public and the defendant in a  
 3 speedy trial. 18 U.S.C. § 3161(h)(8)(A).

4  
 5 SO STIPULATED.

Respectfully submitted,

6  
 7 SCOTT N. SCHOOLS  
 United States Attorney

8  
 9 DATED: November 15, 2007

/s/  
 10 TAREK J. HELOU  
 Assistant United States Attorney

11  
 12 DATED: November 15, 2007

/s/  
 13 ELIZABETH FALK  
 Attorney for Defendant Abel Lopez-Menera

14  
 15 As the Court noted on November 9, 2007, and for the reasons stated above, the Court finds  
 16 that the ends of justice served by the requested continuance outweigh the best interests of the  
 17 public and the defendant in a speedy trial. The Court also finds that time from November 9,  
 18 2007 through November 16, 2007 should be excluded from Speedy Trial Act calculations for  
 19 effective preparation of defense counsel. 18 U.S.C. § 3161(h)(8)(A). Failing to grant the  
 20 requested continuance would deny defense counsel reasonable time necessary for effective  
 21 preparation, taking into account the exercise of due diligence, and would result in a miscarriage  
 22 of justice. 18 U.S.C. § 3161(h)(8)(B)(iv).

23  
 24 SO ORDERED.

25  


26 DATED: \_\_\_\_\_

27 THE HONORABLE SUSAN ILLSTON  
 United States District Judge